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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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ALIX L. JOSEPH, :

Plaintiff, : 13-cv-02961 (NGG)(CLP)
-against- :
BETH ISRAEL MEDICAL CENTER, : **NOTICE OF MOTION**
Defendant. :
----- X

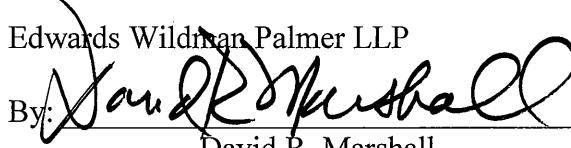
PLEASE TAKE NOTICE that upon the annexed Declaration of David R. Marshall, sworn to on July 10, 2013, and the exhibits thereto, the accompanying memorandum of law, and all prior proceedings had herein, Defendant Beth Israel Medical Center, will move this Court, located at the United States Courthouse, 225 Cadman Plaza East, Brooklyn, New York, 11201, on August 23, 2013 for an order pursuant to Rule 12(b)(1) and (6) of the Federal Rules of Civil Procedure, granting Defendant's motion to dismiss the Complaint with prejudice and granting such other and further relief as this Court deems just and proper.

PLEASE TAKE FURTHER NOTICE that pursuant to the Court's June 3, 2013 Order, a copy of which is attached hereto, Plaintiff shall serve any

opposing affidavits and answering memoranda on or before August 9, 2013.

Dated: New York, New York
July 11, 2013

Edwards Wildman Palmer LLP

By: 
David R. Marshall

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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

-----X

ALIX L. JOSEPH,

Plaintiff,

-against-

BETH ISRAEL MEDICAL CENTER,

Defendant.

ORDER

13-CV-02961 (NGG) (CLP)

-----X
NICHOLAS G. GARAUFIS, United States District Judge.

Defendant Beth Israel Medical Center requests a pre-motion conference in anticipation of its motion to dismiss the Complaint, and also requests an extension of time to file a responsive pleading. (Def. Mot. (Dkt. 3).)

Defendant's request for a pre-motion conference is DENIED as unnecessary. Defendant is granted leave to file a motion to dismiss according to the following briefing schedule: Defendant shall serve its motion on Plaintiff by July 12, 2013; Plaintiff shall serve an opposition to Defendant's motion on Defendant's counsel by August 9, 2013; Defendant shall serve its reply, if any, and electronically file the fully briefed motion with the court by August 23, 2013. Defendant's time to answer or otherwise respond to the Complaint, if necessary, is due 14 days following the court's decision on Defendant's motion to dismiss.

SO ORDERED.

s/Nicholas G. Garaufis

Dated: Brooklyn, New York
June 3, 2013

NICHOLAS G. GARAUFIS
United States District Judge